

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Elnora Carthan, et al,

Plaintiffs,

v.

Case No. 5:16-cv-10444-JEL-MKM
Hon. Judith E. Levy
Mag. Judge Mona K. Majzoub

Governor Rick Snyder, et al,
Defendants.

/

**CITY DEFENDANTS' PROPOSED AGENDA ITEMS FOR THE
MARCH 11, 2020 FLINT WATER STATUS CONFERENCE**

Pursuant to the Court's January 25, 2020 Order, Dkt 1048, the City Defendants (City of Flint, Darnell Earley, Gerald Ambrose, Howard Croft, Michael Glasgow and Daugherty Johnson) propose the following agenda items for the March 11, 2020 Status Conference:

1. For various reasons, depositions of numerous witnesses, including all LAN personnel and a several VNA personnel, have been adjourned without date. City Defendants have concerns that such delays will risk leaving insufficient time to complete discovery without disrupting the overall schedule, including the first trial date, and wish to discuss how to address this problem.

2. The Amended Case Management Order, at page 29, states as follows:

IX. Pre-Trial Motions and Completion Date for Discovery in All Cases

(1) The date by which all pre-trial motions shall be filed and the completion date for discovery will be established by the Court at a later date.

In light of the foregoing, it may be useful to begin discussing a briefing schedule for Rule 56 Motions for Summary Judgment.

3. In the Court's Order regarding matters discussed at the January 22, 2020 Status Conference, the Court indicated an intention to issue an amendment to the Case Management Order. In the interest of housekeeping, this item is proposed to allow for the Court to schedule any discussion it deems necessary.

4. Status of the Court's anticipated decision on Motions to Dismiss *Rogers* and *Marble*.

5. During the Court's February 19, 2020 telephonic Discovery Status Conference, the Court discussed the implications of Protective Orders filed in some of the now resolved or dismissed criminal cases against certain Defendants. The Court set forth a briefing schedule requiring Defendants to file briefs by March 3, 2020 and any responses to be filed by March 10, 2020. During that Status Conference, the issue of the discovery of materials obtained pursuant to investigative subpoenas by the Michigan Attorney General's Office was also discussed. The City Defendants request an opportunity to discuss both issues with the Court.

Respectfully Submitted,

Attorneys for City of Flint

/s/ Sheldon H. Klein (P41062)

FREDERICK A. BERG, JR (P38002)
Butzel Long, P.C.
150 W. Jefferson Ave., Suite 100
Detroit, MI 48226
(313) 225-7000
klein@butzel.com
bergf@butzel.com

Attorneys for Michael Glasgow

/s/ Christopher J. Marker (P81564)

O'Neill, Wallace & Doyle, P.C.
300 St. Andrews Road, Suite 302
Saginaw, MI 48605
(989) 790-0960
cmarker@owdpc.com

Attorneys for Gerald Ambrose

/s/ Barry A. Wolf (P40709)

Law Office of Barry A. Wolf PLLC
503 S. Saginaw Street, Suite 1410
Flint, MI 48502
(810) 762-1084
bwolf718@msn.com

Attorneys for Darnell Earley

/s/ Todd Perkins (P55623)

Perkins Law Group
615 W. Griswold, Suite 400
Detroit, MI 48226
(313) 964-1702
tperkins@perkinslawgroup.net

Attorneys for City of Flint

/s/ William Y. Kim (P76411)

City of Flint, Department of Law
1101 S. Saginaw, 3rd Floor
Flint, MI 48502
(810) 766-7146
wkim@cityofflnt.com

Attorneys for Daugherty Johnson

/s/ Edwar Zeineh (P71923)

Law Office of Edwar A. Zeineh
2800 E. River Avenue, Suite B
Lansing, MI 48912
(517) 292-7000
zeinehlaw@gmail.com

Attorneys for Howard Croft

/s/ Alexander S. Rusek (P77581)

White Law PLLC
2549 Jolly Road, Suite 340
Okemos, MI 48864
(517) 316-1195
alexrusek@whitelawpllc.com

Dated: February 26, 2020

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2020, I electronically filed the above document with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

Attorneys for City of Flint
/s/ Sheldon H. Klein (P41062)
FREDERICK A. BERG, JR (P38002)
Butzel Long, P.C.
150 W. Jefferson Ave., Suite 100
Detroit, MI 48226
(313) 225-7000
klein@butzel.com
bergf@butzel.com